

IN THE UNITED STATES DISTRICT COURT
FOR WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA and)	
THE STATE OF MICHIGAN,)	
)	
Plaintiffs,)	Civil Action No. 1:19-cv-1041
)	Chief Judge Robert J. Jonker
v.)	Magistrate Judge Ray Kent
NCR CORPORATION,)	
)	
Defendant.)	
)	
GEORGIA-PACIFIC LLC, GEORGIA-)	
PACIFIC CONSUMER PRODUCTS LP,)	
INTERNATIONAL PAPER COMPANY,)	
and WEYERHAEUSER COMPANY,)	
)	
Intervenors.)	
)	

**UNITED STATES' UNOPPOSED MOTION TO AUTHORIZE DEPOSIT OF FUNDS
INTO COURT REGISTRY ACCOUNT**

Pursuant to Fed. R. Civ. P. 67, the United States hereby moves that the Court enter an Order authorizing Defendant NCR Corporation ("NCR") to make deposits into the Court Registry Account for settlement as contemplated by the Consent Decree (ECF No. 37) that was recently entered by the Court.

Payment by the NCR into the Court Registry Account would only be disbursed from the Court Registry Account pursuant to a separate Withdrawal Order submitted to and approved by the Court. The Withdrawal Order would direct disbursement to the Plaintiffs in accordance with Paragraphs 43, 49, 50, and 52 of the Consent Decree. If the entry of the Consent Decree is overturned through the appellate process, the money would be returned to NCR.

For the foregoing reasons, the United States hereby moves that the Court enter an Order authorizing NCR to make a payment into the Court Registry account as part of any proposed

settlement, with the deposited funds to earn interest in accordance with the Clerk of the Court's normal investment procedures.

Pursuant to 28 U.S.C. § 1914(b) and the Judicial Conference Schedule of Fees, the United States further requests that no fees be charged for services rendered on behalf of the United States in conjunction with this deposit of funds in the Court Registry Account.

A proposed "Order Authorizing NCR Corporation's Deposit of Funds into Court Registry Account" accompanies this Motion, and the United States respectfully requests that the Court enter that Order.

Dated: December 8, 2020

Respectfully submitted:

FOR THE UNITED STATES

BRUCE C. GELBER
Deputy Assistant Attorney General
Environment and Natural Resources Division

s/Kristin M. Furrie
KRISTIN M. FURRIE
Senior Counsel
Environmental Enforcement Section
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044
(202) 616-6515
kristin.furrie@usdoj.gov

ANDREW BYERLY BIRGE
United States Attorney
Western District of Michigan

Adam B. Townshend
Assistant United States Attorney
Western District of Michigan
330 Ionia Ave. N.W., Suite 501
Grand Rapids, MI 49503

Of Counsel:
NICOLE WOOD-CHI
Associate Regional Counsel
U.S. Environmental Protection Agency - Region 5
77 W. Jackson Blvd. (C-14J)
Chicago, IL 60604